

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

772H0496

HOUSE ENGROSSED NO. **SB 114** - 02/11/2002

Introduced by: Senators Greenfield, Apa, de Hueck, and Kleven and Representatives Van Gerpen and Klaudt

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to township meetings.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 8-3-1.4 be amended to read as follows:

4 8-3-1.4. No township with a population of ~~six~~ twenty or ~~less~~ fewer resident voters is required
5 to publish a notice of the time and place of an annual meeting more than once in any publication.

6 Section 2. That § 8-3-3 be amended to read as follows:

7 8-3-3. Special meetings of the township electors may be held for the purpose of electing
8 township officers to fill vacancies that occur, or for the purpose of transacting any lawful
9 business ~~whenever the supervisors, township clerk, or any two of them~~ if the entire board of
10 supervisors files or if two members of the board of supervisors, together with at least twelve
11 other ~~freeholders~~ resident voters of the township, file in the office of the township clerk a written
12 statement that a special meeting is necessary for the interests of the township. However, special
13 meetings may be called in a township with a population of twenty or fewer resident voters by the
14 entire board of supervisors or by two members of the board of supervisors and four resident
15 voters of the township.



Section 3. That § 8-3-4 be amended to read as follows:

8-3-4. Every township clerk with whom such statement is filed as required in § 8-3-3 shall record the same and immediately cause notice to be published in the same manner as provided for the publication of notice of the annual township meeting. However, in a township with a population of twenty or fewer resident voters, the notice of the time and place of any special meeting need not be published more than once in any publication, shall be provided not less than three days before the special meeting, and may be provided by first class mail in lieu of publication.

Section 4. That § 8-3-19 be amended to read as follows:

8-3-19. ~~In case~~ If any township refuses or neglects to organize and elect officers at the time fixed by law for holding the annual meeting, twelve ~~freeholders~~ resident voters of the township may call a meeting for such purpose by notice published in the same manner as provided for the publication of notice of the annual township meeting, ~~which.~~ The notice shall set forth the time, place, and object of ~~such the~~ the meeting; and the voters, when assembled by virtue of such notice, shall possess all the powers conferred upon them at the annual township meeting.

Section 5. That § 8-3-20 be amended to read as follows:

8-3-20. ~~In case~~ If no such notice is given as provided in § 8-3-19 within thirty days after the time for holding the annual meeting, the board of county commissioners shall, on the affidavit of any ~~freeholder~~ resident voter of ~~such the~~ the township, filed in the office of the county auditor setting forth the facts, proceed at any regular or special meeting of the board to appoint the necessary township officers, ~~and the.~~ The persons so appointed shall hold their respective offices until others are elected and qualified in their places, and shall have the powers and be subject to the same duties as if they had been duly elected.